

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

MARISOL COLON ORTIZ, et als.,
Plaintiffs

CIVIL NO. 03-1989(DRD)

v.

MUNICIPALITY OF SAN JUAN, et als.,
Defendants

ORDER

Pending before the Court is Defendant Jorge Santini's *Motion for Partial Summary Judgment and Memorandum in Support Thereof, Statement of Uncontested Facts in Support of Motion for Partial Summary Judgment, and Motion Submitting Exhibit in Support of Motion for Partial Summary Judgment*. (Docket Nos. 91, 92, and 93). Through said request, co-defendant Santini moves the Court to dismiss the complaint against him for failure to state a claim upon which relief may be granted. However, from a review of the instant record, co-defendant Santini missed the scheduled deadline for filing of dispositive motions by **six weeks**. It stems from the *Minute* of January 20, 2005 (Docket No. 83) that the Court issued a clear and unambiguous order selecting August 30, 2005 as the final date to file any and all dispositive motions. There is nothing on the record indicating that the deadline was extended to include the date in which Santini filed his request – October 6, 2005 – or even that co-defendant Santini requested an extension of time thereto. As this Court has held on innumerable occasions, the Courts cannot allow litigants to treat scheduling orders “as a frivolous piece of paper idly entered, which can be cavalierly disregarded without peril.” See O’Connell v. Hyatt Hotels of Puerto Rico, 357 F.3d 152, 155 (1st Cir. 2004).

Therefore, co-defendant Santini's request for summary disposition (Docket Nos. 91-93) is **SUMMARILY DENIED** for failure to comply with this Court's previously ordered deadline.

IT IS SO ORDERED.

Date: October 17, 2004

S/ Daniel R. Dominguez
DANIEL R. DOMINGUEZ
U.S. DISTRICT JUDGE